

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TQ Delta, LLC,
Plaintiff,

v.

CommScope Holding Company, Inc., *et al.*,
Defendants.

Civil Action No.: 2:21-CV-00310-JRG

JURY TRIAL DEMANDED



DECLARATION OF RUDOLPH FINK IV

I, Rudolph Fink IV, state as follows in support of Plaintiff TQ Delta, LLC's Motion for Summary Judgment on Families 2, 3, 6, and 9B:

1. I am a partner at the The Davis Firm, P.C. and counsel of record for TQ Delta, LLC. I am a member of good standing of the State Bar of Texas. I have personal knowledge of the facts set forth in this Declaration.
2. Exhibit 01 is a true and correct copy of Dkt. No. 286 from *TQ Delta, LLC v. 2Wire, Inc.*, No. 1:13-cv-1835-RGA (D. Del. filed Nov. 4, 2013) ("DE Case"), which is titled "Amended Corporate Disclosure Statement" and is signed by "Attorneys for Defendant" on May 19, 2017.
3. Exhibit 02 is a true and correct copy of Dkt. No. 1125 from the DE Case, which is titled "Second Amended Corporate Disclosure Statement" and is signed by "Attorneys for Defendant 2Wire, Inc." on May 3, 2019.
4. Exhibit 03 is a true and correct copy of TQD_TX-00044843-47, which was produced in this case.
5. Exhibit 04 is a true and correct copy of Dkt. No. 1271 from the DE Case, which is titled "Verdict Form" and has a redacted signature and is dated January 16, 2020.
6. Exhibit 05 is a true and correct copy of Dkt. No. 1354 from the DE Case, which is titled "Memorandum Opinion" and is dated September 15, 2020.
7. Exhibit 06 is a true and correct copy of Dkt. No. 1276 from the DE Case, which is titled "Judgment" and is dated January 17, 2020.

8. Exhibit 07 is a true and correct copy of Dkt. No. 1058 from the DE Case, which is titled “Memorandum Opinion” and is dated April 10, 2019.
9. Exhibit 08 is a true and correct copy of Dkt. No. 1271 from the DE Case, which is titled “Verdict Form” and has a redacted signature and is dated May 23, 2019.
10. Exhibit 09 is a true and correct copy of Dkt. No. 1239 from the DE Case, which is titled “Memorandum Opinion” and is dated August 23, 2019.
11. Exhibit 10 is a true and correct copy of Dkt. No. 1188 from the DE Case, which is titled “Judgment” and is dated May 23, 2019.
12. Exhibit 11 is a true and correct copy of Dkt. No. 1106 from the DE Case, which is titled “Memorandum Opinion” and is dated April 25, 2019.
13. Exhibit 12 is a true and correct copy of Dkt. No. 1567 from the DE Case, which is titled “Memorandum Opinion” and is dated June 28, 2021.
14. Exhibit 13 is a true and correct copy of Dkt. No. 1580 from the DE Case, which is titled “Memorandum Opinion” and is dated July 26, 2021.
15. Exhibit 14 is a true and correct copy of Paper 9 from the *CommScope, Inc. v. TQ Delta, LLC*, IPR2022-1012 (PTAB), which is titled “Decision Granting Institution of *Inter Partes* Review 35 U.S.C. § 314” and is dated as entered November 28, 2022. Highlights have been added to cited portions.
16. Exhibit 15 is a true and correct copy of “CommScope’s Preliminary Invalidity Contentions” served in this case and dated January 13, 2022.
17. Exhibit 16 contains true and correct excerpts of the Opening Expert Report of Bruce McNair on the Invalidity of the Asserted Claims of the Family 9 Patents served in this case and dated August 29, 2022, specifically the title page through the end of the table of contents and then pp. 221-231.
18. Exhibit 17 contains true and correct copy of Paper 13 from the *CommScope, Inc. v. TQ Delta, LLC*, IPR2022-10352 (PTAB), which is titled “Decision Denying Institution of *Inter Partes* Review 35 U.S.C. § 314” and is dated as entered August 19, 2022. Highlights have been added to cited portions.
19. Exhibit 18 contains true and correct excerpts of the Opening Expert Report of Todor Cooklev, Ph.D served in this case and dated August 29, 2022, specifically the title page through the end of the table of contents and ¶¶ 72, 640-643, 718-749, 856-884, 1142, 1170, 1198.
20. Exhibit 19 contains true and correct excerpts of the Expert Report of Vijay Madiseti, Ph.D, on Infringement of the Family 4 and Family 6 patents served in this case and dated

August 29, 2022, specifically the title page through the end of the table of contents and ¶¶ 178, 179, 263–264, 321, 322, 331–333, 342–344, 347–349.

21. Exhibit 20 contains true and correct excerpts of the Responsive Expert Report of Dr. Neil Ransom on Non-Infringement of the Family 2, 3, 6, 9A and 9B Patents served in this case and dated November 18, 2022, specifically the title page through the end of the table of contents and ¶¶ 139-149, 150-165, 249-260.
22. Exhibit 21 contains true and correct excerpts of the December 7, 2022 Deposition of Dr. Neil Ransom.
23. Exhibit 22 contains true and correct excerpts of the Opening Expert Report of Dr. Richard Wesel on the Invalidity of the Family 3 Patents (U.S. Patent Nos. 7,844,882; 8,276,048; 8,495,473; 9,547,608) served in this case and dated August 29, 2022, specifically the title page through the end of the table of contents and ¶¶ 522.
24. Exhibit 23 contains true and correct excerpts of the Rebuttal Expert Report of Dr. Krista Jacobsen on Non-Infringement of Family 2 Patents from the DE Case dated November 30, 2018, specifically the title page through the end of the table of contents and ¶¶ 42-55.
25. Exhibit 24 contains true and correct excerpts of the Rebuttal Expert Report on Non-Infringement of Krista S. Jacobsen for Family 3 from the DE Case dated December 28, 2018, specifically the title page through the end of the table of contents and ¶¶ 51-66.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 14th day of December, 2022, in Dallas, Texas.

/s/ Rudolph Fink IV
Rudolph Fink IV